

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 446

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

AN ACT

RELATING TO CRIMES; CREATING A NEW CRIMINAL OFFENSE KNOWN AS  
CRIMINAL DAMAGE TO PROPERTY WITH INTENT TO THREATEN OR  
INTIMIDATE; PRESCRIBING PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 30, Article 15 NMSA  
1978 is enacted to read:

"[NEW MATERIAL] CRIMINAL DAMAGE TO PROPERTY WITH INTENT TO  
THREATEN OR INTIMIDATE.--

A. Criminal damage to property with intent to  
threaten or intimidate consists of intentionally damaging any  
real or personal property of another without the consent of all  
owners of the property for the purpose of causing fear or  
intimidation and that reasonably causes an owner of the  
property to feel threatened or intimidated.

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1                   B. Co-ownership or possession of ownership  
2 interests in the damaged property is not a defense to criminal  
3 damage to property with intent to threaten or intimidate.

4                   C. Whoever commits criminal damage to property with  
5 intent to threaten or intimidate is guilty of a petty  
6 misdemeanor, except that when damage to the property amounts to  
7 more than one thousand dollars (\$1,000), the crime is a fourth  
8 degree felony."

9                   Section 2. EFFECTIVE DATE.--The effective date of the  
10 provisions of this act is July 1, 2007.

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